

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

MICHAEL COREY JENKINS, et al.

PLAINTIFFS

v.

CAUSE NO. 3:23cv374-DPJ-FKB

RANKIN COUNTY, MISSISSIPPI, et al.

DEFENDANTS

**RENEWED MOTION FOR JUDGMENT ON THE PLEADINGS
PREMISED, IN PART, ON QUALIFIED IMMUNITY**

NOW COME Defendants, Rankin County, Mississippi and Sheriff Bryan Bailey, in his individual and official capacities, by and through counsel, and move this Court for judgment on the pleadings pursuant to FED. R. CIV. P. 12(c) by stating as follows:

1. In their [28] Amended Complaint, Plaintiffs allege federal § 1983 claims against Rankin County and Sheriff Bailey, in his individual and official capacities, as well as state law MTCA claims against Rankin County.

2. Sheriff Bailey, in his individual capacity, is entitled to qualified immunity from all federal § 1983 claims alleged against him.

3. The official capacity claims against Sheriff Bailey should be dismissed as redundant and/or duplicative of the claims against Rankin County.

4. Plaintiffs fail to allege a facially plausible *Monell* claim against Rankin County.

5. Any and all state law claim against Rankin County is barred by MISS. CODE ANN. § 11-46-9(1)(d) & (g).

6. Based on the foregoing and all legal precedent and analysis in their accompanying Memorandum of authorities, Rankin County, MS and Sheriff Bryan Bailey, in

his individual and official capacities, respectfully request that all claims against them be dismissed.

7. In support of their instant Motion, Rankin County and Sheriff Bailey submit and rely upon the following exhibits:

- A. **Exhibit 1** – Cameron Affidavits; and
- B. **Exhibit 2** – Monica Lee Deposition Transcript – Excepts.

WHEREFORE, PREMISES CONSIDERED, Rankin County, MS and Sheriff Bryan Bailey, in his individual and official capacities, pray that this Court grant their instant Motion in its entirety and dismiss any and all federal and state law claims against them.

RESPECTFULLY SUBMITTED, this 13th day of December, 2023.

**RANKIN COUNTY, MISSISSIPPI & SHERIFF
BRYAN BAILEY, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES - DEFENDANTS**

BY: /s/ Jason E. Dare
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